

**DURHAM CITY COUNCIL WORK SESSION**  
**THURSDAY, APRIL 22, 2004 – 1:00 P.M.**  
**Committee Room – City Hall**

**SUBJECT: BOND COUNSEL REQUEST FOR QUALIFICATIONS (RFQ)**

**MOTION** by Council Member Catotti seconded by Council Member Brown to suspend the rules of the City Council and take action on the above mentioned subject was approved at 2:25 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**MOTION** by Council Member Clement seconded by Mayor Pro Tempore Cole-McFadden to authorize the City Manager to conduct an RFQ process for Bond Counsel in consultation with the City Attorney was approved at 2:29 p.m. by the vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**SUBJECT: DURHAM MULTIMODAL STATION – HEART OF DURHAM  
HOTEL LOCATED AT 309 WEST CHAPEL HILL STREET**

Mark Greenspan, Director of General Services, noted that bids for the Heart of Durham Hotel environmental remediation and demolition were received on March 15, 2004. The bids received are as follows:

Jones Grading and Fencing, Inc.	\$1,890,500
Empire Dismantlement Corporation	876,540
NEO Corporation	594,000
LVI Environmental Services	577,000

The administration noted the bids for Jones Fencing and Grading, Inc., NEO Corporation and LVI Environmental Services were found to not be in compliance with the City's Small Disadvantaged Business Enterprise Ordinance. Empire Dismantlement did not meet the goals established for SDBE participation but were judged to have made a good faith effort to comply with the SDBE ordinance.

It was noted that the Heart of Durham Hotel purchase and demolition costs are to be paid from the Durham Station budget.

The administration recommended that the City Council authorize the City Manager to enter into a set price, all-inclusive contract with Empire Dismantlement Corporation in the sum of \$876,540 for the controlled demolition, environmental remediation, transport, debris disposal, erosion controls, and full site preparation of the Heart of Durham Hotel property according to the specifications; and to make changes to the contract before

execution so long as the changes do not increase the dollar amount to be paid by the City or decrease the services to be rendered by the contractor.

Discussion was held by Council on the various bids received and the SDBE ordinance.

**MOTION** by Council Member Clement seconded by Council Member Catotti to suspend the rules of the City Council and take action on the administration's recommendation **FAILED** at 6:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Catotti and Clement. Noes: Council Members Best, Brown and Stith. Absent: None.

Note: Previous motion failed - Council rules of procedures state it takes five votes to suspend the rules.

**MOTION** by Council Member Catotti seconded by Council Member Clement to suspend the rules of the City Council to rebid this project was approved at 6:35 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**MOTION** by Council Member Brown seconded by Council Member Stith to reject all bids and rebid this project [itemizing each element of the project] was approved at 6:40 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**SUBJECT: RECREATION CENTERS HVAC UPGRADES AND POOL PACKS REPLACEMENTS – SOUTHERN PIPING COMPANY**

**MOTION** by Council Member Catotti seconded by Council Member Brown to suspend the rules of the City Council and take action on the above mentioned subject was approved at 7:01 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

**MOTION** by Council Member Catotti seconded by Council Member Brown to authorize the City Manager to enter into a contract with Southern Piping Company in the amount of \$623,444, with a contingency of \$77,931, to upgrade HVAC Systems and replace Pool Packs at Edison Johnson, E. D. Mickle and Campus Hills Recreation Centers; and

To authorize the City Manager to modify the contract before execution provided the modifications do not increase the dollar amount of the contract and are consistent with the general intent of the version of the contract approved by the City Council was approved at 7:02 p.m. by the following vote: Ayes: Mayor Bell, Mayor Pro Tempore Cole-McFadden and Council Members Best, Brown, Catotti, Clement and Stith. Noes: None. Absent: None.

D. Ann Gray, CMC  
City Clerk